

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NEW YORK LIFE INSURANCE
COMPANY,

Plaintiff,

vs.

ANNE VALGORA, and SHIRLEY OLSON,
as Personal Representative of the Estate of
Steven Olson;

Defendants.

SHIRLEY OLSON, as Personal
Representative of the Estate of Steven
Olson,

Crossclaim Plaintiff,

vs.

ANNE VALGORA.

Crossclaim Defendant.

4:20CV3073

ORDER

Pending before me are the motion to stay and the Plaintiff's objection to the motion to stay. (Filing Nos. 7 & 12). Plaintiff objects to staying this case because it wants to promptly interplead the funds at issue and be dismissed from this lawsuit. Under the circumstances presented, Plaintiff is willing to waive any claim for attorney fees and costs associated with filing this interpleader action.

After conferring with the parties,

IT IS ORDERED that the motion to stay and objection (Filing Nos. 7 & 12), are resolved as follows:

- 1) The deadline for answering or otherwise responding to the Crossclaim is stayed pending further order of the court.
- 2) Plaintiff's request to interplead the funds is granted, and on or before November 2, 2020, Plaintiff shall advise my chambers (zwart@ned.uscourts.gov) along with both defendants of the precise amount it will be depositing with the court.¹ Upon receipt of that information, my chambers will enter an order granting authority to deposit such funds.
- 3) Upon deposit of the funds, the undersigned magistrate judge will recommend dismissing Plaintiff from this litigation and administratively closing further litigation of the Crossclaim pending resolution of the underlying state court proceedings.

Dated this 24th day of October, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

¹ In the unlikely event that a defendant objects to the amount Plaintiff intends to deposit, the parties will immediately contact my chambers and schedule a conference call to discuss the issue.